

**NOTICE TO PUBLISH**

Las Vegas, Nevada

Date: FEBRUARY 6, 2002

TO: LAS VEGAS REVIEW-JOURNAL

FROM: CITY CLERK

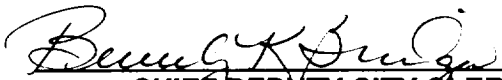
SUBJECT: PUBLICATION OF NOTICE OF PUBLIC HEARING - RESOLUTION NO. R-7-2002  
REGARDING THE GRANTING OF A MONORAIL AGREEMENT TO TRANSIT SYSTEMS  
DEVELOPMENT LLC

Please publish the attached LEGAL NOTICE

ON THE FOLLOWING DATES: SATURDAY, FEBRUARY 9, 2002

and send me THREE copies of the Affidavit of Publication at your earliest convenience.

(No later than seven (7) days following final publication.)

  
CHIEF DEPUTY CITY CLERK

cc: Finance Department - Accounts Payable  
City Attorney - (on Ordinances only)  
Front Desk



022662

**RESOLUTION SETTING A PUBLIC HEARING  
ON THE ADVISABILITY OF ENTERING INTO A MONORAIL AGREEMENT TO  
GRANT TRANSIT SYSTEMS DEVELOPMENT, LLC, THE RIGHT TO  
INSTALL AND OPERATE A MONORAIL IN THE CITY**

WHEREAS, the Las Vegas Monorail Company, a Nevada nonprofit corporation (hereafter called "Monorail Company"), is engaged in the business of installing and operating a monorail for public transportation in Clark County, Nevada pursuant to a Monorail Franchise Agreement between Clark County and the Monorail Company's predecessor-in-interest dated December 2, 1998, as amended (hereafter called the "County Franchise"); and

WHEREAS, the plans for the monorail authorized by the County Franchise will take the Monorail near or to the border between the City and Clark County, at the intersection of Sahara Avenue and Paradise Road; and

WHEREAS, Transit Systems Development, LLC (hereafter "Transit Systems") and the City desire to enter into an agreement by which the monorail that is operated pursuant to the County Franchise will be extended north of Sahara Avenue into the City; and

WHEREAS, pursuant to NRS Chapter 705, the City is authorized to enter into an agreement for the installation and operation of a monorail within the City; and

WHEREAS, pursuant to NRS 705.695 the City Council, when entering into an agreement for the installation and operation of a monorail within the City, must provide notice and a public hearing regarding the proposed agreement in the same manner as for an ordinance proposed to be adopted by the City under circumstances other than in an emergency; and

WHEREAS, the City's ordinance adoption process requires that the City Clerk publish notice of deposit of a proposed ordinance in the City Clerk's Office for public examination and distribution upon request a minimum of ten days prior to its adoption by the City Council; and

WHEREAS, there is not a public hearing requirement in the City's ordinance adoption process as referenced in NRS Chapter 705, but to ensure compliance with the public hearing provisions of NRS Chapter 705, the City Council will hold a public hearing prior to entering into an agreement permitting the installation and operation of a monorail within the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, as follows:

1. That Transit Systems has requested that the City grant it the right to install and operate a monorail to transport passengers within the City.

2. That the purposes, character, terms, time and conditions that the City proposes to require in response to Transit Systems' request to install and operate a monorail within the City through December 2, 2048, are fully set forth in the proposed Monorail Agreement on file in the Office of the City Clerk of the City of Las Vegas, Nevada, which said proposed Monorail Agreement is available for inspection by members of the public. Said proposed Monorail Agreement is, by this reference, incorporated herein and made a part of this Resolution and Notice.

3. That a public hearing be, and hereby is, set for Wednesday, the 20th day of February, 2002, in the City Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, at the hour of 9:00 a.m., for the purpose of hearing any objections or protests made by any person to the granting Transit Systems the right to install and operate a monorail within the City pursuant to the proposed Monorail Agreement.

4. That all interested persons shall have, and they are hereby given, the right to appear and be heard on the question of the advisability of granting Transit Systems the right to install and operate a monorail within the City pursuant to the proposed Monorail Agreement at the place, date and hour specified for the public hearing in paragraph 3 of this Resolution and Notice, or at any subsequent time to which said public hearing may be adjourned.

5. That the notice provided by this Resolution and Notice is reasonably calculated to inform each interested person of his or her opportunity to appear and be heard on the question of granting Transit Systems the right to install and operate a monorail within the City pursuant to the proposed Monorail Agreement and that the City Clerk therefore, be, and she hereby is, authorized, empowered and directed to cause a copy of this Resolution and Notice to be published in full in the Las Vegas Review Journal not later than the issue published on the 9th day of February, 2002.

PASSED, ADOPTED and APPROVED this 6<sup>th</sup> day of February, 2002.

CITY OF LAS VEGAS

By /s/ Oscar B. Goodman  
OSCAR B. GOODMAN, Mayor

ATTEST:

Barbara Jo Ronemus  
BARBARA JO RONEMUS, City Clerk